

Tennessee Ethics Commission

Minutes of August 17, 2006

Pursuant to the call of the chairman, The Tennessee Ethics Commission met on Thursday, August 17, 2006, at 8.45 A.M. in the auditorium of the Tennessee State Library and Archives in Nashville, Tennessee.

The following members were present:

R. Larry Brown
Thomas J. Garland, Chair
Donald J. Hall
Linda W. Knight
Dianne F. Neal
Benjamin S. Purser, Jr.

No members of the Commission were absent.

Chairman Garland made opening comments and called the meeting to order at 8:45 A.M.

Chairman Garland recognized Janet Kleinfelter, Senior Counsel, Tennessee Office of the Attorney General and Reporter. General Kleinfelter initiated discussion on several legal matters needing the Commission's attention. General Kleinfelter stated that there was a need for the Commission to develop a process to handle complaints which would be filed with the Commission in the future. General Kleinfelter also notified the Commission that the Tennessee Bar Association had submitted a request for a public hearing on the Commission's rules for lobbyists and employers of lobbyists. Additionally, General Kleinfelter informed the Commission that the Tennessee Bar Association was seeking the Commission's approval to offer a course on ethics in the fall of 2006 that would be eligible for Continuing Legal Education (CLE) credit. Discussion by the Commission ensued.

Next, Gerald Reed, Assistant to the Tennessee Secretary of State for Public Policy, introduced Jeanne D. Sugg, Tennessee State Librarian and Archivist. On behalf of the Commission, Chairman Garland thanked Ms. Sugg for the Library's hospitality and the for the use of the auditorium by the Commission for the meeting.

The next item on the agenda was the 9:00 A.M interview of Mr. Bruce Androphy for the position of executive director.

Following the interview of Mr. Androphy, Mr. Reed submitted the minutes of the Commission's July 27, 2006, meeting for the Commission's consideration.

Commissioner Knight then suggested certain changes and additions to the minutes. After discussion, the minutes were set aside for further consideration later in the meeting.

The next item on the agenda was the 10:30 A.M interview of Ms. Carol Carson, candidate for the position of executive director.

Following the interview of Ms. Carson, the Commission again took up the minutes from the July 27, 2006 meeting. After further discussion, Commissioner Brown moved to approve the minutes subject to changes he identified as a part of his motion. Commissioner Purser seconded and the minutes were approved unanimously.

Chairman Garland recognized General Kleinfelter to resume discussion of the request by the Tennessee Bar Association for a public hearing on the proposed rules on lobbyists and employers of lobbyists. After discussion, Chairman Garland requested that notice be given that the Commission would meet for the purpose of a public hearing on Tuesday, October 31, 2006, between 8:30 A.M. and 10:30 A.M. After the public hearing, the Commission would meet on the same date at 11:00 A.M. for a regular business meeting.

The Commission recessed for lunch at 12:30 P.M. and reconvened at 1:30 P.M.

The next item on the agenda was the 1:30 P.M. interview of Mr. Bruce Rasmussen, candidate for the position of executive director.

Following the interview of Mr. Rasmussen, Chairman Garland then recognized Mr. Reed to cover the items under "Other Business" on the Commission's agenda. Mr. Reed then reviewed the status of the development of a manual for lobbyists and employers of lobbyists under a contract with Dr. Ann-Marie Rizzo, Director, Tennessee State University, Institute of Government.

Next, Mr. Reed reviewed the status of the online registration system for lobbyists being prepared by NICUSA.

Mr. Reed then identified the timeline in the Commissioner's meeting packets that he had prepared for the Commission's future activities.

Mr. Reed next reviewed the status of the attempts by the Secretary of State's office to obtain office space for the Commission. He noted that the Tennessee Department of Finance and Administration had space that would be available in the Snodgrass Tower in October or November. He stated that Secretary of State Riley Darnell had offered to make space available within his department for a short time until the space identified by Finance and Administration was available. After discussion, Chairman Garland noted the Commission's approval of this approach and asked Mr. Reed to express their gratitude to Secretary Darnell for his offer.

Mr. Reed and Commissioner Purser then provided a summary of the background checks conducted by Kroll, Inc. on the Commission's four finalist candidates for the position of executive director.

Next, General Kleinfelter reviewed the request from the Tennessee Bar Association seeking the Commission's approval to offer a course on ethics in the fall of 2006 that would be eligible for CLE credit. After discussion by the Commission's members, the Chairman Garland asked General Kleinfelter and Mr. Reed to prepare a letter declining the request.

The next item on the agenda was the 3:00 P.M. interview of Mr. William Hunt III, candidate for the position of executive director.

After the interview of Mr. Hunt was completed, the Commission discussed their impressions of the four candidates based on the interviews as well as the individual dinners hosted by Commissioners Hall, Knight, Neal and Brown the previous evening. The Commission then unanimously asked Chairman Garland to initiate discussions with the finalists based on their comments.

There being no further business, Chairman Garland adjourned the commission meeting at 4:50 P.M.

Respectfully Submitted

Gerald G. Reed

September 25, 2006